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APR 23 2008

ERIC W. SIEGLE

April 23, 2008

JONATHAN D. SIMS

VIA FACSIMILE

United States District Court  
 Southern District of New York  
 500 Pearl Street, Room 1310  
 New York, New York 10007  
 Attn.: Michael H. Dolinger, U.S.M.J.

Re: Zhao v. City of New York et al.  
 07CV.3636 (LAK)(MHD)

Dear Honorable Judge Dolinger:

We represent the plaintiff in the above-referenced matter and are writing the Court on behalf of all counsel herein to request a brief extension of the discover deadline until May 13, 2008 from Friday April 25, 2008.

The reason for this joint application is as follows: On this date all counsel appeared for the deposition of Assistant District Attorney Peter Lomp, an individual who was subpoenaed by the defendants to appear and give testimony. Defendants' counsel depose Mr. Lomp for approximately 4 ½ - 5 hours, at which time both the reporter and Mr. Lomp had to leave. Defense counsel has advised that they still have several more hours of material to cover with Mr. Lomp and then plaintiff's counsel anticipates several hours with the witness as well. All counsel, including counsel for Mr. Lomp, have agreed to continue the deposition, with the Court's permission, for another complete day on Friday, May 9, 2008, the first day that the witness and all counsel are available to proceed. All other depositions now known to be necessary have been completed by the parties and this is the last one to be completed. We have selected May 13, 2008 so that counsel for the parties would have two business days subsequent to the deposition to make any other necessary demands based on the further testimony provided by Mr. Lomp.

Wherefore all counsel respectfully requests that the discovery deadline be extended to May 13, 2008, that Mr. Lomp be ordered to appear on May 9, 2008, and that all other deadlines herein

ENDORSED ORDER

Application granted. The parties are to submit an amended scheduling order to the court.

MS / USM  
 4/25/08

be modified accordingly. Should the Court grant this proposed application I will submit a new schedule to the Court on behalf of all the parties for judicial endorsement. We jointly thank the Court for consideration of this application.

Respectfully submitted,

**SIEGLE & SIMS L.L.P.**

A handwritten signature in black ink, appearing to read 'E. Siegle', is written over a horizontal line.

Eric W. Siegle

cc: Jennifer Rossan, A.C.C.  
Afsaan Saleem, A.C.C.  
Steven Stern, Esq. (Counsel for ADA Lomp)  
(All Via Facsimile)

SIEGLE & SIMS L.L.P.